

**EXHIBIT 1**

**Trustee's Deed Upon Sale**

## GMAC DOC HEADER



**\*HEDRF+SIGD+8077678\***

Loan Number	0833009962
Borrower Name	SWEETING R
Document Type	SIGD (Deed - In Lieu of
Package Type	ACSH TM IMAGE
ACS Box ID	8077662
Container	BOX[8077662]
ACS Loan ID	11811593
Disposition	
Create Date	11/04/2008 03:25 PM

DTS Loan Id	12796095
Loan Type	First Lien
Location	ACSH
Investor Name	
Pool #	FREMONT 7-30-7
Closing Date	12/19/2006
Funding Status	

**99**

**62**

Loan No: 0833009962\*  
Object ID: +8077678\*

Prepper ID: \_\_\_\_\_  
Prep Date: \_\_\_\_\_

Total Number  
of Documents  
(Including Header Sheet)

Scanner Batch

Documents in Batch

Pages in Batch

Scanner ID

Adhoc Scan/Index

**FIRST AMERICAN TITLE COMPANY**

Trustees Deed Upon Sale Pg 3 of 7

This Document was electronically recorded by  
**Lenders Advantage B**

RECORDING REQUESTED BY:

**Executive Trustee Services, LLC dba ETS Services, LLC**Recorded in Official Records, Orange County  
Tom Daly, Clerk-Recorder

AND WHEN RECORDED MAIL TO:

**GMAC MORTGAGE, LLC FKA  
GMAC MORTGAGE CORPORATION  
1100 VIRGINIA DRIVE  
FORT WASHINGTON, PA 19034**

12.00

2008000495073 12:17pm 10/28/08

104 159 T09 3

0.00 0.00 0.00 0.00 6.00 0.00 0.00 0.00

Forward Tax Statements to  
the address given above

SPACE ABOVE LINE FOR RECORDER'S USE

TS # **GM-120181-C**LOAN # **0833009962**INVESTOR #: **0000000000000**TITLE ORDER # **3489537****TRUSTEE'S DEED UPON SALE**APN **178-741-30**TRANSFER TAX: **\$00.00**

"THIS TRANSACTION IS EXEMPT FROM THE REQUIREMENTS OF THE REVENUE AND TAXATION CODE, SECTION 480.3"

The Grantee Herein Was The Foreclosing Beneficiary.

The Amount Of The Unpaid Debt was **\$910,184.62**The Amount Paid By The Grantee Was **\$639,000.00**Said Property Is In The City Of **HUNTINGTON BEACH**, County of **Orange****Executive Trustee Services, LLC dba ETS Services, LLC**, as Trustee, (whereas so designated in the Deed of Trust hereunder more particularly described or as duly appointed Trustee) does hereby **GRANT** and **CONVEY** to**GMAC MORTGAGE, LLC FKA  
GMAC MORTGAGE CORPORATION**(herein called Grantee) but without covenant or warranty, expressed or implied, all right title and interest conveyed to and now held by it as Trustee under the Deed of Trust in and to the property situated in the county of **Orange**, State of California, described as follows:

SEE EXHIBIT "A"

This conveyance is made in compliance with the terms and provisions of the Deed of Trust executed by **ROBERT SWEETING, AN UNMARRIED MAN** as Trustor, dated **12/8/2006** of the Official Records in the office of the Recorder of **Orange**, California under the authority and powers vested in the Trustee designated in the Deed of Trust or as the duly appointed Trustee, default having occurred under the Deed of Trust pursuant to the Notice of Default and Election to Sell under the Deed of Trust recorded on **12/20/2006**, instrument number **2006000850787** (or Book, Page ) of Official records. Trustee having complied with all applicable statutory requirements of the State of California and performed all duties required by the Deed of Trust including sending a Notice of Default and Election to Sell within ten days after its recording and a Notice of Sale at least twenty days prior to the Sale Date by certified mail, postage pre-paid to each person entitled to notice in compliance with California Civil Code 2924b.

GM-120181-C

EXHIBIT "A"

THE LAND REFERRED TO IN THIS GUARANTEE IS SITUATED IN THE STATE OF CALIFORNIA, CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 30 OF TRACT NO. 9924, IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 431 PAGES 22 AND 23 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2:

AN EASEMENT FOR USE AND ENJOYMENT OF THE COMMON AREA, BEING LOT 46 OF SAID TRACT NO. 9924, REFERRED TO IN PARCEL 1 ABOVE, AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN BOOK 12914 PAGE 929, ET SEQ., OF OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA.

## TRUSTEE'S DEED UPON SALE

Trustee's Deed  
T.S.# **GM-120181-C**  
Loan # **0833009962**  
Title Order # **3489537**

All requirements per California Statutes regarding the mailing, personal delivery and publication of copies of Notice of Default and Election to Sell under Deed of Trust and Notice of Trustee's Sale, and the posting of copies of Notice of Trustee's Sale have been complied with. Trustee, in compliance with said Notice of Trustee's sale and in exercise of its powers under said Deed of Trust sold said real property at public auction on **9/22/2008**. Grantee, being the highest bidder at said sale became the purchaser of said property for the amount bid, being **\$639,000.00**, in lawful money of the United States, in pro per, receipt there of is hereby acknowledged in full/partial satisfaction of the debt secured by said Deed of Trust.

In witness thereof, **Executive Trustee Services, LLC dba ETS Services, LLC**, as Trustee, has this day, caused its name to be hereunto affixed by its officer thereunto duly authorized by its corporation by-laws

Date: **9/22/2008**

**LLC**

**Executive Trustee Services, LLC dba ETS Services,**

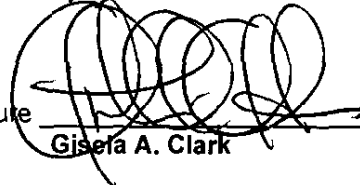
By:   
**Donna Fitton, Limited Signing Officer**

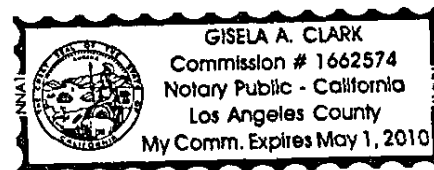
**State of California } S.S.**  
**County of Los Angeles }**

On **10/20/2008** before me, **Gisela A. Clark** Notary Public, personally appeared **Donna Fitton** who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)  
**Gisela A. Clark**



BOE-502-A (FRONT) REV. 8 (10-05)

GM-120181-C

**PRELIMINARY CHANGE OF OWNERSHIP REPORT**

[To be completed by transferee (buyer) prior to transfer of subject property in accordance with section 480.3 of the Revenue and Taxation Code.] A Preliminary Change of Ownership Report must be filed with each conveyance in the County Recorder's office for the county where the property is located; this particular form may be used in all 58 counties of California.

THIS REPORT IS NOT A PUBLIC DOCUMENT

**SELLER/TRANSFEROR: GMAC MORTGAGE, LLC FKA, GMAC MORTGAGE CORPORATION**

**BUYER/TRANSFeree: GMAC MORTGAGE, LLC FKA, GMAC MORTGAGE CORPORATION**

**ASSESSOR'S PARCEL NUMBER(S): 178-741-30**

**PROPERTY ADDRESS OR LOCATION: 16077 CRETE LANE, HUNTINGTON BEACH, CA 92649**

**MAIL TAX INFORMATION TO:** Name GMAC MORTGAGE, LLC FKA, GMAC MORTGAGE CORPORATION  
Address 1100 VIRGINIA DRIVE, FORT WASHINGTON, PA 19034 ,

Phone Number (8 a.m-5 p.m.) (818) 827-2300

FOR RECORDER'S USE ONLY

**NOTICE:** A lien for property taxes applies to your property on January 1 of each year for the taxes owing in the following fiscal year, July 1 through June 30. One-half of these taxes is due November 1, and one-half is due February 1. The first installment becomes delinquent on December 10, and the second installment becomes delinquent on April 10. One tax bill is mailed before November 1 to the owner of record. You may be responsible for the current or upcoming property taxes even if you do not receive the tax bill.

The property which you acquired may be subject to a supplemental assessment in an amount to be determined by the Orange Assessor. For further information on your supplemental roll obligation, please call the Orange Assessor at \_\_\_\_\_.

**PART I: TRANSFER INFORMATION (please answer all questions)**

- | YES                      | NO                                  |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | A. Is this transfer solely between husband and wife (addition of a spouse, death of a spouse, divorce settlement, etc)?  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | B. Is this transaction only a correction of the name(s) of the person(s) holding title to the property (for example, a name change upon marriage)? Please explain _____  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | C. Is this document recorded to create, terminate, or reconvey a lender's interest in the property?  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | D. Is this transaction recorded only as a requirement for financing purposes or to create, terminate, or reconvey a security interest (e.g., cosigner)? Please explain _____   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | E. Is this document recorded to substitute a trustee of a trust, mortgage, or other similar document?  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | F. Did this transfer result in the creation of a joint tenancy in which the seller (transferor) remains as one of the joint tenants?   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | G. Does this transfer return property to the person who created the joint tenancy (original transferor)?   |
|                          |                                     | H. Is this a transfer of property:   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. to a revocable trust that may be revoked by the transferor and is for the benefit of the <input type="checkbox"/> transferor <input type="checkbox"/> transferor's spouse?  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. to a trusts that may be revoked by the Creator/Grantor who is also a joint tenant, and which names the other joint tenant(s) as beneficiaries when the Creator/Grantor dies?  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. to an irrevocable trust for the benefit of the Creator/Grantor and/or Grantor's spouse?   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. to an irrevocable trust from which the property reverts to the Creator/Grantor within 12 years?   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | I. If this property is subject to a lease, is the remaining lease term 35 years or more including written options?   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | *J. Is this a transfer between <input type="checkbox"/> parent(s) and child(ren)? <input type="checkbox"/> or from grandparent(s) to grandchild(ren)?  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | *K. Is this transaction to replace a principal residence by a person 55 years of age or older?<br>Within the same county? <input type="checkbox"/> Yes <input type="checkbox"/> No   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | *L. Is this transaction to replace a principal residence by a person who is severely disabled as defined by Revenue and Taxation Code section 69.5? Within the same county? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | M. Is this transfer solely between domestic partners currently registered with the California Secretary of State?  |

\*If you checked yes to J, K or L, you may qualify for a property tax reassessment exclusion, which may result in lower taxes on your property. If you do not file a claim, your property will be reassessed.

Please provide any other information that will help the Assessor to understand the nature of the transfer.

If the conveying document constitutes and exclusion from a change in ownership as defined in section 62 of the Revenue and Taxation Code for any reason other than those listed above, set forth the specific exclusions claimed: \_\_\_\_\_

Please answer all questions in each section. If a question does not apply, indicate with "N/A." Sign and date at bottom of second page.

**PART II: OTHER TRANSFER INFORMATION**

- A. Date of transfer if other than recording date: 9/22/2008
- B. Type of transfer (please check appropriate box):  
☐ Purchase ☒ Foreclosure ☐ Gift ☐ Trade or Exchange ☐ Merger, Stock, or Partnership Acquisition  
☐ Contract of Sale - Date of Contract \_\_\_\_\_  
☐ Inheritance - Date of Death \_\_\_\_\_ ☐ Other (please explain): \_\_\_\_\_  
☐ Creation of Lease ☐ Assignment of a Lease ☐ Termination of a Lease ☐ Sale/Leaseback  
☐ Date lease began \_\_\_\_\_  
☐ Original term in years (including written options) \_\_\_\_\_  
☐ Remaining term in years (including written options) \_\_\_\_\_  
Monthly Payment \_\_\_\_\_ Remaining Term \_\_\_\_\_
- C. Was only a partial interest in the property transferred? ☐ Yes ☒ No  
If yes, indicate the percentage transferred \_\_\_\_\_ %.

BOE-502-A (BACK) REV. 8 (10-05)

Please answer, to the best of your knowledge, all applicable questions, then sign and date. If a question does not apply, indicate with "N/A."

**PART III: PURCHASE PRICE AND TERMS OF SALE**

- A. CASH DOWN PAYMENT OR value of trade or exchange (excluding closing costs) Amount \$ \_\_\_\_\_
- B. FIRST DEED OF TRUST @ \_\_\_\_\_ % interest for \_\_\_\_\_ years. Pymts./Mo. = \$ \_\_\_\_\_ (Prin. & Int. only) Amount \$ \_\_\_\_\_  
☐ FHA(\_\_\_\_\_ Discount Points) ☐ Fixed Rate ☐ New loan  
☐ Conventional ☐ Variable Rate ☐ Assumed existing loan balance  
☐ VA(\_\_\_\_\_ Discount Points) ☐ All inclusive D.T.(\$ \_\_\_\_\_) ☐ Bank or savings & loan  
☐ Cal-Vet ☐ Loan carried by seller ☐ Finance company  
 Balloon payment ☐ Yes ☐ No Due Date \_\_\_\_\_ Amount \$ \_\_\_\_\_
- C. SECOND DEED OF TRUST @ \_\_\_\_\_ % interest for \_\_\_\_\_ years. Pymts./Mo. = \$ \_\_\_\_\_ (Prin. & Int. only) Amount \$ \_\_\_\_\_  
☐ Bank or savings & loan ☐ Fixed Rate ☐ New loan  
☐ Loan carried by seller ☐ Variable Rate ☐ Assumed existing loan balance  
 Balloon payment ☐ Yes ☐ No Due Date \_\_\_\_\_ Amount \$ \_\_\_\_\_
- D. OTHER FINANCING: Is other financing involved not covered in (b) or (c) above? ☐ Yes ☐ No Amount \$ \_\_\_\_\_  
 Type \_\_\_\_\_ @ \_\_\_\_\_ % interest for \_\_\_\_\_ years. Pymts./Mo. = \$ \_\_\_\_\_ (Prin. & Int. only)  
☐ Bank or savings & loan ☐ Fixed Rate ☐ New loan  
☐ Loan carried by seller ☐ Variable Rate ☐ Assumed existing loan balance  
 Balloon payment ☐ Yes ☐ No Due Date \_\_\_\_\_ Amount \$ \_\_\_\_\_
- E. WAS AN IMPROVEMENT BOND ASSUMED BY THE BUYER ☐ Yes ☐ No Outstanding Balance: Amount \$ \_\_\_\_\_
- F. TOTAL PURCHASE PRICE (or acquisition price, if traded or exchanged, include real estate commission if paid)

TOTAL ITEMS A THROUGH E

\$

- G. PROPERTY PURCHASED ☐ Through a broker ☐ Direct from seller ☐ From a family member ☐ Other (please explain): \_\_\_\_\_

If purchased through a broker, provide broker's name and phone number: \_\_\_\_\_

Please explain special terms, seller concessions, or financing and any other information that would help the Assessor understand the purchase price and terms of sale: \_\_\_\_\_

**PART IV: PROPERTY INFORMATION**

- A. TYPE OF PROPERTY TRANSFERRED:  
☒ Single-family residence ☐ Agricultural ☐ Timeshare  
☐ Multiple-family residence (no. of units: \_\_\_\_\_) ☐ Co-op/Own-your-own ☐ Manufactured home  
☐ Commercial/Industrial ☐ Condominium ☐ Unimproved lot  
☐ Other (Description: i.e., timber, mineral, water rights, etc. \_\_\_\_\_)
- B. IS THIS PROPERTY INTENDED AS YOUR PRINCIPAL RESIDENCE? ☐ Yes ☒ No  
 If yes, enter date of occupancy \_\_\_\_\_ / \_\_\_\_\_, 20\_\_\_\_ or intended occupancy \_\_\_\_\_ / \_\_\_\_\_, 20\_\_\_\_  
 (month) (day) (year) (month) (day) (year)
- C. IS PERSONAL PROPERTY INCLUDED IN PURCHASE PRICE (i.e., furniture, farm equipment, machinery, etc.)  
 (other than a manufactured home subject to local property tax)? ☐ Yes ☒ No  
 If yes, enter the value of the personal property included in the purchase price \$ \_\_\_\_\_ (Attach itemized list of personal property.)
- D. IS A MANUFACTURED HOME INCLUDED IN PURCHASE PRICE? ☐ Yes ☒ No  
 If yes, how much of the purchase price is allocated to the manufactured home? \$ \_\_\_\_\_  
 Is the manufactured home subject to local property tax? ☐ Yes ☐ No What is the decal number? \_\_\_\_\_
- E. DOES THE PROPERTY PRODUCE INCOME? ☐ Yes ☒ No If yes, is the income from:  
☐ Lease/Rent ☐ Contract ☐ Mineral rights ☐ Other (please explain): \_\_\_\_\_
- F. WHAT WAS THE CONDITION OF THE PROPERTY AT THE TIME OF SALE?  
☐ Good ☐ Average ☐ Fair ☐ Poor  
 Please explain the physical condition of the property and provide any other information (such as restrictions, etc.) that would assist the Assessor in determining the value of the property: \_\_\_\_\_

**CERTIFICATION**

OWNERSHIP TYPE ( )

Proprietorship ☐  
 Partnership ☐  
 Corporation ☐  
 Other ☐

I certify that the foregoing is true, correct and complete to the best of my knowledge and belief.  
 This declaration is binding on each and every co-owner and/or partner.

NAME OF NEW OWNER/CORPORATE OFFICER

CANDY HERZOG

SIGNATURE OF NEW OWNER/CORPORATE OFFICER

TITLE

Limited Signing Officer

DATE

NAME OF ENTITY (typed or printed)

EXECUTIVE TRUSTEE SERVICES

FEDERAL EMPLOYER ID NUMBER

23-27788943

ADDRESS (typed or printed) 2255 North Ontario Street, Suite 400  
 Burbank California 91504-3120

E-MAIL ADDRESS (optional)

DATE

9/22/2008

(NOTE: The Assessor may contact you for additional information.)

If a document evidencing a change of ownership is presented to the recorder for recordation without the concurrent filing of a preliminary change of ownership report, the recorder may charge an additional recording fee of twenty dollars (\$20).